

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

AUG 19 2011

BY: JULIA C. DUDLEY, CLERK
DEPUTY CLERK

CHRISTOPHER D. ELLIOTT, JR.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 6:10-cv-00032

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on consideration of the parties' cross-motions for summary judgment (docket nos. 18 and 22), the Report and Recommendation of United States Magistrate Judge B. Waugh Crigler (docket no. 30), Plaintiff's objections (docket no. 31), and the response (docket no. 32) thereto filed by the Commissioner of Social Security ("Defendant").

For the reasons stated in the accompanying memorandum opinion, Plaintiff's objections are hereby **OVERRULED** and the Magistrate Judge's Report and Recommendation is hereby **ADOPTED in toto**. Accordingly, Defendant's motion for summary judgment (docket no. 18) is **GRANTED** and Plaintiff's motion for summary judgment (docket no. 22) is **DENIED**.

The Clerk of the Court is hereby directed to strike this action from the active docket of the Court. The Clerk shall send a certified copy of this order to all counsel of record and to United States Magistrate Judge B. Waugh Crigler. The Clerk shall mail a copy to Plaintiff.

Entered this 19th day of August, 2011.


NORMAN K. MOON
UNITED STATES DISTRICT JUDGE